

**EICHEN & DIMEGLIO, P.C.**

1 Dupont Street, Suite 203

Plainview, NY 11803

Telephone: (516) 576-3333

Facsimile: (516) 576-3342

Sal DiMeglio, Partner

Kathleen Gaye, Senior Manager

*Accountants to the Debtor and Debtor-in-Possession***UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK**

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In re	: Chapter 11
	:
DOWLING COLLEGE,	:
f/d/b/a DOWLING INSTITUTE,	: Case No. 16-75545 (REG)
f/d/b/a DOWLING COLLEGE ALUMNI	:
ASSOCIATION,	:
f/d/b/a CECOM,	:
a/k/a DOWLING COLLEGE, INC.,	:
Debtor.	:
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**SUMMARY SHEET PURSUANT TO UNITED STATES TRUSTEE  
GUIDELINES FOR REVIEWING APPLICATIONS FOR COMPENSATION  
AND REIMBURSEMENT OF EXPENSES FILED UNDER 11 U.S.C. § 330 FOR THE  
FIRST INTERIM FEE APPLICATION OF EICHEN & DIMEGLIO, P.C.,  
ACCOUNTANTS TO THE DEBTOR AND DEBTOR IN POSSESSION**

Name of Applicant:	Eichen & DiMeglio, P.C.
Compensation Period:	November 29, 2016 through March 31, 2017
Role in This Case:	Accountants to the Debtor and Debtor in Possession
Current Application:	
Total Fees Requested for the Compensation Period:	\$36,157.00
Total Expenses Requested for the Compensation Period:	\$541.22
Total Sought:	\$36,698.22
Petition Date:	November 29, 2016

Retention Date:	November 29, 2016
Date of Order Approving Employment:	January 13, 2017
Blended Rate in this Application for All Accountants:	\$277.49
Compensation Sought in this Application Already Paid Pursuant to a Monthly Compensation Order But Not Yet Allowed:	\$0
Expenses Sought in this Application Already Paid Pursuant to a Monthly Compensation Order But Not Yet Allowed:	\$0
Are any rates higher than those approved or disclosed at retention?	No.

This is an:   X   interim        final application.

**EICHEN & DIMEGLIO, P.C.**

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 Plainview, NY 11803  
 Telephone: (516) 576-3333  
 Facsimile: (516) 576-3342  
 Sal DiMeglio, Partner  
 Kathleen Gaye, Senior Manager

*Accountants to the Debtor and Debtor-in-Possession*

**UNITED STATES BANKRUPTCY COURT  
 EASTERN DISTRICT OF NEW YORK**

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In re	: Chapter 11
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DOWLING COLLEGE,	:
f/d/b/a DOWLING INSTITUTE,	: Case No. 16-75545 (REG)
f/d/b/a DOWLING COLLEGE ALUMNI	:
ASSOCIATION,	:
f/d/b/a CECOM,	:
a/k/a DOWLING COLLEGE, INC.,	:
Debtor.	:
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**APPLICATION OF EICHEN & DIMEGLIO, P.C., ACCOUNTANTS TO THE  
 DEBTOR AND DEBTOR IN POSSESSION FOR A FIRST INTERIM  
 ALLOWANCE OF COMPENSATION AND REIMBURSEMENT OF EXPENSES  
 FOR THE PERIOD OF NOVEMBER 29, 2016 THROUGH MARCH 31, 2017**

**TO THE HONORABLE ROBERT E. GROSSMAN,  
 UNITED STATES BANKRUPTCY JUDGE:**

Eichen & DiMeglio, P.C. ("E&D"), accountants to Dowling College, debtor and debtor-in-possession in the above-captioned chapter 11 case (the "Chapter 11 Case"), as and for its application ("Application") for a first interim allowance of compensation for services rendered and reimbursement of expenses for the period of November 29, 2016 through March 31, 2017, pursuant to 11 U.S.C. §§ 330(a) and 331, and Rule 2016 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), respectfully sets forth and represents as follows:

## **INTRODUCTION**

1. This application is respectfully submitted by E&D for a first allowance of compensation and reimbursement of expenses for all services rendered to the Debtor from November 29, 2016 through March 31, 2017 (the “First Interim Compensation Period”), as follows:

Total Fees Requested for the First Interim Compensation Period:	\$36,157.00
Total Expenses Requested for the First Interim Compensation Period:	<u>\$541.22</u>
<b>Total Sought:</b>	<b>\$36,698.22</b>

2. During the First Interim Compensation Period, E&D committed a total of 130.30 hours of professional time, resulting in an average hourly billing rate of \$277.49. Copies of the detailed accountant time records for the First Interim Compensation Period are annexed hereto as **Exhibit B** and summaries of the time records broken down by timekeeper and billing task code are annexed as **Exhibits C** and **D**, respectively.

3. During the First Interim Compensation Period, E&D advanced \$541.22 for expenses for which it seeks reimbursement. A detailed summary of expenses is annexed hereto as **Exhibit E**.

4. Annexed hereto as **Exhibit F** is the certification of Sal DiMeglio.

## **JURISDICTION**

5. This Court has jurisdiction over this Application by virtue of 28 U.S.C. §§ 157(a) and (b), and 1334(b), and the Administrative Order No. 264 titled “In the Matter of The Referral of Matters to the Bankruptcy Judges” of the United States District Court for the Eastern District of New York (Weinstein, C.J.) dated August 28, 1986.

6. Venue is proper in this district pursuant to 28 U.S.C. § 1409(a) because this proceeding arises in a case under the Bankruptcy Code pending in this district.

### **BACKGROUND**

7. On November 29, 2016 (the “Petition Date”), the Debtor filed a voluntary petition for relief under chapter 11 of Title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the Eastern District of New York (the or this “Court”).

8. On December 23, 2016, an application to employ E&D as accountants for the Debtor was filed (the “E&D Retention Application”) [Docket No. 126]. The E&D Retention Application was granted by order of the Court dated January 13, 2017 and the retention was approved *nunc pro tunc* to the Petition Date (the “E&D Retention Order”) [Docket No. 165]. A copy of the E&D Retention Order is annexed hereto as **Exhibit A**.

9. On December 21, 2016, the Court entered the *Order Pursuant to 11 U.S.C. §§ 105(a) and 331 Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals* (the “Interim Compensation Order”) [Docket No. 117].

10. In accordance with the Interim Compensation Order, E&D submitted fee statements seeking interim compensation and reimbursement of expenses. During the First Interim Compensation Period, E&D submitted the following fee statement:

- (a) On April 6, 2017, pursuant to the Interim Compensation Order, E&D served its first fee statement for the period from January 13, 2017 to March 31, 2017 (the “First Fee Statement”). The First Fee Statement sought (i) an allowance of \$36,157.00 as compensation for services rendered and (ii) the reimbursement of \$541.22 in expenses. As of the date hereof, the time for filing objections to the First Fee Statement has not passed. E&D has not received any payments of fees or expenses incurred pursuant to the First Fee Statement.

11. E&D has not entered into any agreement, express or implied, with any other party for the purpose of fixing or sharing fees or other compensation to be paid for professional services rendered in these cases. No promises have been received by E&D as to compensation in connection with this Chapter 11 Case other than in accordance with the provisions of the Bankruptcy Code.

#### **SUMMARY OF SERVICES RENDERED**

12. In conformity with the United States Trustee Guidelines For Reviewing Applications For Compensation and Reimbursement of Expenses Filed Under 11 U.S.C. § 330, dated January 30, 1996 (the “U.S. Trustee Guidelines”) E&D has segregated its time entries during the First Interim Compensation Period into the following project categories, which correspond to the major tasks undertaken by E&D during the same period:

- A. 2015 Audit of Dowling 403(b) Plan
- B. 2016 Audit of Dowling 403(b) Plan
- C. Assisting with Other Matters Related to the Termination and Wind Down of Dowling 403(b) Plan

13. In this section of the Application, E&D describes, in summary fashion, the services performed during the First Interim Compensation Period by project category.

#### **A. 2015 Audit of Dowling 403(b) Plan**

14. The “2015 Audit of Dowling 403(b) Plan” project category includes time charges by E&D in relation to time spent performing the audit for the year ended December 31, 2015.

On October 17, 2016, the Debtor had electronically filed the 2015 Form 5500 for the Dowling College Defined Contribution Retirement Plan (the “Dowling 403(b) Plan”) without attaching audited financial statements. During the First Interim Compensation Period, E&D completed the 2015 audit, issued the audited financial statements for the year ended December 31, 2015 for the Dowling 403(b) Plan, and on April 6, 2017, the Debtor electronically filed an amended 2015 Form 5500 which included such audited financial statements as a required attachment under the Employee Retirement Income Security Act of 1974 (“ERISA”).

15. A total of 58.20 hours amounting to \$16,942.00 in fees were incurred by E&D during the First Interim Compensation Period, and such amount was discounted to the fixed fee for this project category of \$15,000.00 in accordance with the E&D Retention Order.

**B. 2016 Audit of Dowling 403(b) Plan**

16. The “2016 Audit of Dowling 403(b) Plan” project category includes time charges by E&D in relation to time spent performing the ERISA audit for the year ended December 31, 2016, an engagement which is still in progress.

17. A total of 33.90 hours amounting to \$9,843.50 in fees were incurred by E&D during the First Interim Compensation Period in connection with this project category during the First Interim Compensation Period.

**C. Assisting with Other Matters Relating to the Termination and Wind Down of Dowling 403(b) Plan**

18. The “Assisting with Other Matters Relating to the Termination and Wind Down of Dowling 403(b) Plan” project category encompasses activities related to the termination of the Dowling 403(b) Plan and the ongoing activities which will result in the distribution of all of its

assets to its participants in accordance with ERISA. A formal termination resolution was adopted by the Dowling College Board of Trustees on March 30, 2017.

19. A total of 38.20 hours amounting to \$11,313.50 in fees were incurred by E&D in connection with this project category during the First Interim Compensation Period.

### **TIME AND DISBURSEMENT RECORDS AND STAFFING**

20. The services performed by E&D for and on behalf of the Debtor in connection with the above matters during the First Interim Compensation Period are detailed and itemized in full in the time and disbursement logs annexed hereto as **Exhibit B**. Set forth on the attached **Exhibit C** is a summary of the persons who performed services on behalf of the Debtor, the hours of services performed by such person, the applicable hourly rate, and the total value of the services performed by each person during the First Interim Compensation Period.

21. The persons at E&D that assisted the Debtor on the above matters during the First Interim Compensation Period are as follows:

a. Sal DiMeglio, CPA, is an equity partner and managing partner at E&D. Mr. DiMeglio, formerly of Deloitte & Touche, formed E&D in 1992. Mr. DiMeglio is a member of the American Institute of Certified Public Accountants (“**AICPA**”), as well as a member of the AICPA’s Employee Benefit Plan Audit Quality Center. Mr. DiMeglio’s rate of \$375 per hour is reasonable and such rate was Mr. DiMeglio’s normal and customary rate during the period covered by this Application.

b. Kathleen Gaye, CPA, is a senior manager employed by E&D. Ms. Gaye, formerly of Deloitte & Touche, has been employed by E&D since March 1993. Ms. Gaye is a member of the AICPA, as well as a member of the AICPA’s Employee Benefit Plan Audit Quality Center. Ms. Gaye’s rate of \$280 per hour is reasonable and such rate



was Ms. Gaye's normal and customary rate during the period covered by this Application.

22. The total fees for the services rendered in connection with this case during the First Interim Compensation Period amounts to \$36,157.00 based upon a total of 130.30 hours. The blended hourly rate for all services provided during the First Interim Period is \$277.49.

**WHEREFORE**, E&D respectfully requests that it be granted (i) a first allowance of compensation for professional services rendered accountants for the Debtor for the First Interim Compensation Period in the amount of \$36,157.00; (ii) reimbursement of its actual and necessary disbursements totaling \$541.22; and (iii) such other and further relief as is just.

Dated: New York, New York  
April 28, 2017

**EICHEN & DIMEGLIO, P.C.**

By: /s/ Sal DiMeglio

Sal DiMeglio  
Kathleen Gaye  
1 Dupont Street, Suite 203  
Plainview, New York 11803  
Tel: (516) 576-3333  
Fax: (516) 576-3342  
Email: sal@eanddcpa.com  
kathy@eanddcpa.com

*Accountants to the Debtor and Debtor-in-Possession*

# **Exhibit A**

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK**

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In re	: Chapter 11
	:
DOWLING COLLEGE,	:
f/d/b/a DOWLING INSTITUTE,	: Case No. 16-75545 (REG)
f/d/b/a DOWLING COLLEGE ALUMNI	:
ASSOCIATION,	:
f/d/b/a CECOM,	:
a/k/a DOWLING COLLEGE, INC.,	:
	:
Debtor.	:
-----X	

**ORDER AUTHORIZING THE RETENTION OF EICHEN & DIMEGLIO, P.C., AS  
ACCOUNTANTS TO THE DEBTOR, *NUNC PRO TUNC* TO THE PETITION DATE**

Upon the application dated December 23, 2016 (the “Application”)<sup>1</sup> of Dowling College (the “Debtor”) for an order approving the retention of Eichen & DiMeglio, P.C. (“Eichen & DiMeglio”) as its accountants for the limited purpose of auditing and preparing the financial statements of the Dowling College Defined Contribution Retirement Plan for the years ended December 31, 2015 and 2016 (the “Plan”) and assisting with other matters related to the termination and wind down of the Plan, as further described in the Retention Agreement (the “Retention Agreement”) attached to the Application as Exhibit B, *nunc pro tunc* to the Petition Date, and upon the affidavit of Sal DiMeglio, sworn to on December 12, 2016 and attached to the Application as Exhibit C (the “DiMeglio Affidavit”); and it appearing that Eichen & DiMeglio is a disinterested person pursuant to Section 101(14) of title 11 of the United States Code (the “Bankruptcy Code”) and does not represent an interest adverse to the Debtor’s estate; it is

**ORDERED**, that the Application is granted as set forth herein; and it is further

**ORDERED**, that the retention of Eichen & DiMeglio as accountants to the Debtor to

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<sup>1</sup> Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Application.

perform all of the services set forth in the Retention Agreement on the terms set forth in the Application and the DiMeglio Affidavit is hereby approved pursuant to Section 327(a) of the Bankruptcy Code, *nunc pro tunc* to the Petition Date; and it is further

**ORDERED**, that the compensation to be paid to Eichen & DiMeglio shall be subject to the approval of this Court upon notice and a hearing pursuant to Sections 330 and 331 of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the Local Bankruptcy Rules and such other procedures as may be fixed by order of this Court, for professional services rendered and expenses incurred by Eichen & DiMeglio; and it is further

**ORDERED**, that for the avoidance of doubt, all payments to Eichen & DiMeglio on account of compensation in this Chapter 11 Case shall in all respects remain subject to the terms of any documents or orders of this Court concerning debtor in possession financing or the use of cash and other collateral, including but not limited to any approved budget associated therewith, and which shall control in the event of any conflict between the relief contemplated by this Order and those materials; and it is further

**ORDERED**, that the Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order; and it is further

**ORDERED**, that if there is any inconsistency between the terms of this Order, the Application, the Retention Agreement and the DiMeglio Affidavit, the terms of this Order shall

govern.

**NO OBJECTION:**

WILLIAM K. HARRINGTON  
UNITED STATES TRUSTEE

By: /S/ Stan Y. Yang 1/10/2017  
Stan Y. Yang, Esq.  
TRIAL ATTORNEY

**Dated: Central Islip, New York  
January 13, 2017**



A handwritten signature in black ink, appearing to read "Robert E. Grossman".

**Robert E. Grossman  
United States Bankruptcy Judge**

# **Exhibit B**

**Eichen & DiMeglio, P.C.**  
**Informational Fee Statement for Dowling College**

<u>Date</u>	<u>Professional</u>	<u>Matter Description</u>	<u>Component</u>	<u>Hours</u>	<u>Units</u>	<u>Price</u>	<u>Value</u>
<b>Matter Description (First Line): 2015 Audit of Dowling 403(b) Plan</b>							
1/13/2017	Kathleen Gaye	Proforma audit workpapers (0.5) and financial statements; emails to request TIAA-CREF log-in (0.5), audit planning (1.0).	Fees	2.00	0.00	280.00	560.00
1/13/2017	Sal DiMeglio	Audit planning and supervision	Fees	1.50	0.00	375.00	562.50
1/15/2017	Kathleen Gaye	Work on proforma 2015 plan financial statements.	Fees	1.50	0.00	280.00	420.00
1/16/2017	Kathleen Gaye	Draft letter to KPMG (0.3), draft list of items needed from Dowling (0.4), email re: correspondence with KPMG (0.1); download audit programs (0.2).	Fees	1.00	0.00	280.00	280.00
1/16/2017	Sal DiMeglio	Audit planning and supervision	Fees	0.50	0.00	375.00	187.50
1/17/2017	Kathleen Gaye	2015 audit work (1.5); email to TIAA (0.2).	Fees	1.70	0.00	280.00	476.00
1/18/2017	Kathleen Gaye	Issued letter to KPMG via email.	Fees	0.50	0.00	280.00	140.00
1/19/2017	Kathleen Gaye	Download and print TIAA-CREF 2014 and 2015 audit packages (2.0); work on 2015 financial statement draft (1.3) emails to TIAA and Bob Rosenfeld (0.5). Phone call with TIAA (0.7).	Fees	4.50	0.00	280.00	1,260.00
1/23/2017	Kathleen Gaye	2015 audit work including making audit selections and submitting document request form to TIAA.	Fees	6.00	0.00	280.00	1,680.00
1/24/2017	Kathleen Gaye	Draft 2015 list of items needed (0.3) and email to Anne Dimola (0.7) with further explanation.	Fees	1.00	0.00	280.00	280.00
1/25/2017	Kathleen Gaye	2015 audit work on distributions (1.5); email correspondence with Anne Dimola (0.2).	Fees	1.70	0.00	280.00	476.00
1/26/2017	Kathleen Gaye	Work with TIAA audit packages (4.1); phone call (0.3) and email correspondence (0.3) with Ed Lee of KPMG.	Fees	4.70	0.00	280.00	1,316.00
1/27/2017	Kathleen Gaye	Email correspondence with KPMG.	Fees	0.20	0.00	280.00	56.00
1/30/2017	Kathleen Gaye	Email to TIAA (0.2) and work on TIAA document request (0.6).	Fees	0.80	0.00	280.00	224.00



**Eichen & DiMeglio, P.C.**  
**Informational Fee Statement for Dowling College**

<u>Date</u>	<u>Professional</u>	<u>Matter Description</u>	<u>Component</u>	<u>Hours</u>	<u>Units</u>	<u>Price</u>	<u>Value</u>
1/31/2017	Kathleen Gaye	Voice mail to TIAA (0.1); updated 2015 audit document request on TIAA site (0.4).	Fees	0.50	0.00	280.00	140.00
2/1/2017	Kathleen Gaye	2015 financial statement disclosure checklist (0.8); phone call (0.3) and email correspondence with Anne Dimola (0.2).	Fees	1.30	0.00	280.00	364.00
2/7/2017	Kathleen Gaye	2015 audit work.	Fees	0.70	0.00	280.00	196.00
2/7/2017	Sal DiMeglio	Audit supervision and review.	Fees	0.80	0.00	375.00	300.00
2/8/2017	Kathleen Gaye	Worked with audit documentation emailed from Anne Dimola (1.6) and TIAA (0.3); phone call with Anne (0.3).	Fees	2.20	0.00	280.00	616.00
2/13/2017	Kathleen Gaye	Audit field work at Dowling regarding 2015.	Fees	4.20	0.00	280.00	1,176.00
2/13/2017	Sal DiMeglio	Audit supervision and review.	Fees	1.20	0.00	375.00	450.00
2/16/2017	Kathleen Gaye	Audit field work at Dowling; audit team conference.	Fees	4.20	0.00	280.00	1,176.00
2/16/2017	Sal DiMeglio	Audit team conference.	Fees	0.30	0.00	375.00	112.50
2/17/2017	Kathleen Gaye	Emails to KPMG.	Fees	0.30	0.00	280.00	84.00
2/27/2017	Kathleen Gaye	Emails and correspondence with KPMG.	Fees	1.00	0.00	280.00	280.00
2/28/2017	Kathleen Gaye	2005 audit work (3.4); draft (0.4) and email (0.4) legal representation request letter regarding 2015 and 2016 audits.	Fees	4.20	0.00	280.00	1,176.00
2/28/2017	Sal DiMeglio	Audit supervision and review.	Fees	1.00	0.00	375.00	375.00
3/1/2017	Kathleen Gaye	Conference call with KPMG re: prior auditor inquiries (0.5); work on 2015 financial statement draft (0.3).	Fees	0.80	0.00	280.00	224.00
3/3/2017	Kathleen Gaye	Email re: legal letter to former ERISA counsel for 2015 (0.2) and 2016 audits; work on 2015 financial statement draft (0.3).	Fees	0.50	0.00	280.00	140.00

**Eichen & DiMeglio, P.C.**  
**Informational Fee Statement for Dowling College**

<u>Date</u>	<u>Professional</u>	<u>Matter Description</u>	<u>Component</u>	<u>Hours</u>	<u>Units</u>	<u>Price</u>	<u>Value</u>
3/6/2017	Kathleen Gaye	Work on draft of 2015 financial statements and clear audit open items.	Fees	4.00	0.00	280.00	1,120.00
3/6/2017	Sal DiMeglio	Audit supervision and review.	Fees	1.50	0.00	375.00	562.50
3/7/2017	Kathleen Gaye	Emails re: legal letter to former ERISA counsel.	Fees	0.20	0.00	280.00	56.00
3/17/2017	Kathleen Gaye	Review legal letter from former ERISA counsel.	Fees	0.20	0.00	280.00	56.00
3/22/2017	Kathleen Gaye	2015 financial statements (1.2) and related emails (0.3).	Fees	1.50	0.00	280.00	420.00
<b>Matter Description (First Line): 2015 Audit of Dowling 403(b) Plan</b>				<u>58.20</u>			16,942.00
<b>Discount to arrive at fee per engagement letter</b>							<u>(1,942.00)</u>
<b>Matter Description (First Line): 2015 Audit of Dowling 403(b) Plan</b>							<u>15,000.00</u>
<b>Matter Description (First Line): 2016 Audit of Dowling 403(b) Plan</b>							
1/13/2017	Kathleen Gaye	Proforma 2016 audit workpapers; audit planning.	Fees	0.50	0.00	280.00	140.00
1/13/2017	Sal DiMeglio	Audit planning and supervision	Fees	1.50	0.00	375.00	562.50
1/16/2017	Kathleen Gaye	Download audit programs.	Fees	0.50	0.00	280.00	140.00
1/17/2017	Sal DiMeglio	Audit planning and supervision	Fees	0.50	0.00	375.00	187.50
1/26/2017	Kathleen Gaye	Work with TIAA audit packages.	Fees	2.20	0.00	280.00	616.00
1/27/2017	Kathleen Gaye	Work with 2016 TIAA audit package.	Fees	0.80	0.00	280.00	224.00

**Eichen & DiMeglio, P.C.**  
**Informational Fee Statement for Dowling College**

<u>Date</u>	<u>Professional</u>	<u>Matter Description</u>	<u>Component</u>	<u>Hours</u>	<u>Units</u>	<u>Price</u>	<u>Value</u>
2/1/2017	Kathleen Gaye	Phone call and email correspondence with Anne Dimola.	Fees	0.20	0.00	280.00	56.00
2/7/2017	Kathleen Gaye	2016 audit work.	Fees	0.50	0.00	280.00	140.00
2/8/2017	Kathleen Gaye	Worked with audit documentation emailed from Anne Dimola and TIAA.	Fees	0.80	0.00	280.00	224.00
2/13/2017	Kathleen Gaye	Audit field work at Dowling regarding 2016.	Fees	3.30	0.00	280.00	924.00
2/13/2017	Sal DiMeglio	Audit supervision and review.	Fees	0.20	0.00	375.00	75.00
2/16/2017	Kathleen Gaye	Audit field work at Dowling; audit team conference.	Fees	1.80	0.00	280.00	504.00
2/16/2017	Sal DiMeglio	Audit team conference.	Fees	0.20	0.00	375.00	75.00
2/28/2017	Kathleen Gaye	Draft and email legal representation request letter regarding 2015 and 2016 audits.	Fees	0.30	0.00	280.00	84.00
2/28/2017	Sal DiMeglio	Audit supervision and review.	Fees	0.30	0.00	375.00	112.50
3/3/2017	Kathleen Gaye	Email re: legal letter to former ERISA counsel for 2015 and 2016 audits (0.2); 2016 audit work (0.5).	Fees	0.70	0.00	280.00	196.00
3/7/2017	Kathleen Gaye	Emails re: legal letter to former ERISA counsel.	Fees	0.20	0.00	280.00	56.00
3/17/2017	Kathleen Gaye	Review legal letter from former ERISA counsel.	Fees	0.20	0.00	280.00	56.00
3/23/2017	Kathleen Gaye	2016 audit work and pro-forma financial statements	Fees	3.00	0.00	280.00	840.00
3/24/2017	Kathleen Gaye	2016 audit work and financial statement draft.	Fees	4.00	0.00	280.00	1,120.00
3/25/2017	Kathleen Gaye	2016 audit work and financial statement draft.	Fees	1.80	0.00	280.00	504.00
3/26/2017	Kathleen Gaye	2016 audit work and financial statement draft.	Fees	1.20	0.00	280.00	336.00
3/27/2017	Kathleen Gaye	2016 audit work and financial statement draft.	Fees	4.50	0.00	280.00	1,260.00
3/28/2017	Sal DiMeglio	Review workpapers	Fees	1.00	0.00	375.00	375.00
3/29/2017	Kathleen Gaye	2016 audit information requests	Fees	2.70	0.00	280.00	756.00

**Eichen & DiMeglio, P.C.**  
**Informational Fee Statement for Dowling College**

<u>Date</u>	<u>Professional</u>	<u>Matter Description</u>	<u>Component</u>	<u>Hours</u>	<u>Units</u>	<u>Price</u>	<u>Value</u>
3/30/2017	Kathleen Gaye	2016 financial statement draft	Fees	1.00	0.00	280.00	280.00
<b>Matter Description (Second Line): 2016 Audit of Dowling 403(b) Plan -</b>							
<b>Progress Billing Toward Fee per Engagement Letter</b>				<u>33.90</u>			<u>9,843.50</u>
<b>Matter Description (Third Line): Assisting with Other Matters Related to Termination and Wind Down of Dowling 403(b) Plan</b>							
1/16/2017	Kathleen Gaye	In-office conferences regarding plan expenses and termination	Fees	0.50	0.00	280.00	140.00
1/16/2017	Sal DiMeglio	Phone calls and in-office conferences regarding plan expenses and termination.	Fees	0.70	0.00	375.00	262.50
1/26/2017	Kathleen Gaye	Phone call with TIAA regarding plan expenses.	Fees	0.30	0.00	280.00	84.00
1/30/2017	Kathleen Gaye	Email to TIAA regarding plan expenses	Fees	0.20	0.00	280.00	56.00
2/1/2017	Kathleen Gaye	Phone call with Anne Dimola; discussed plan expense and termination issues.	Fees	0.50	0.00	280.00	140.00
2/7/2017	Kathleen Gaye	Email correspondence with Terry Keach of TIAA re: plan expenses.	Fees	0.30	0.00	280.00	84.00
2/13/2017	Kathleen Gaye	Audit team conference regarding plan expenses and termination matters (0.3); discussions with plan administration regarding these matters during field work (0.2); set up billing spreadsheet (0.8).	Fees	1.30	0.00	280.00	364.00
2/13/2017	Sal DiMeglio	Audit team conferences regarding plan expenses and termination matters.	Fees	0.80	0.00	375.00	300.00
3/1/2017	Kathleen Gaye	Conference call with Mike Conners and Bob Rosenfeld re: wind-down of plan (0.3); audit team discussions regarding plan expenses and termination matters (0.7).	Fees	1.00	0.00	280.00	280.00
3/1/2017	Sal DiMeglio	Audit team discussions regarding plan expenses and termination matters.	Fees	0.70	0.00	375.00	262.50

**Eichen & DiMeglio, P.C.**  
**Informational Fee Statement for Dowling College**

<u>Date</u>	<u>Professional</u>	<u>Matter Description</u>	<u>Component</u>	<u>Hours</u>	<u>Units</u>	<u>Price</u>	<u>Value</u>
3/6/2017	Kathleen Gaye	E&D conferences on matters plan expenses and termination matters.	Fees	1.00	0.00	280.00	280.00
3/6/2017	Sal DiMeglio	E&D conferences on matters plan expenses and termination matters.	Fees	1.30	0.00	375.00	487.50
3/7/2017	Kathleen Gaye	Review agenda for 3/10/17 conference call regarding plan termination matters (0.1); in-office conference regarding these matters (0.2).	Fees	0.30	0.00	280.00	84.00
3/9/2017	Kathleen Gaye	E&D conferences re: plan expenses; billing inquiries and procedures.	Fees	1.50	0.00	280.00	420.00
3/9/2017	Sal DiMeglio	E&D conferences re: plan expenses; modifying spreadsheet to track time.	Fees	1.00	0.00	375.00	375.00
3/10/2017	Kathleen Gaye	Conference call with Mike Conners, Anne Dimola, and several TIAA representatives re: plan termination (1.0); email re: Deloitte organizer for Form 5500 (0.3).	Fees	1.30	0.00	280.00	364.00
3/15/2017	Kathleen Gaye	Emails re: Deloitte organizer for the Form 5500.	Fees	0.50	0.00	280.00	140.00
3/18/2017	Kathleen Gaye	Set up Deloitte log-in for the Form 5500 organizer.	Fees	0.50	0.00	280.00	140.00
3/20/17	Kathleen Gaye	Email to Nicolle Zeman.	Fees	0.20	0.00	280.00	56.00
3/21/2017	Kathleen Gaye	Billing procedures and review.	Fees	1.00	0.00	280.00	280.00
3/21/2017	Sal DiMeglio	Review of billing procedures.	Fees	0.50	0.00	375.00	187.50
3/23/2017	Kathleen Gaye	Email to Lauren Kiss.	Fees	0.50	0.00	280.00	140.00
3/24/2017	Kathleen Gaye	Phone call with Lauren Kiss (0.3); email correspondence with Bob Rosenfeld re: fidelity bonding (0.5); review of insurance document (2.4) as per ERISA requirements.	Fees	3.20	0.00	280.00	896.00
3/27/2017	Kathleen Gaye	Phone call to Sterling insurance brokers re: fidelity bonding (0.1); email regarding ERISA requirement and Form 5500 (0.2); 2016 organizer for Form 5500 completed by Dowling in prior years (2.2).	Fees	2.50	0.00	280.00	700.00

**Eichen & DiMeglio, P.C.**  
**Informational Fee Statement for Dowling College**

<u>Date</u>	<u>Professional</u>	<u>Matter Description</u>	<u>Component</u>	<u>Hours</u>	<u>Units</u>	<u>Price</u>	<u>Value</u>
3/28/2017	Kathleen Gaye	Phone calls with Sterling brokers re: fidelity bonding (0.7); emails (0.1) with Bob Rosenfeld, Anne Dimola and Deloitte re: Form 5500 preparation. Input information to Deloitte organizer (1.0).	Fees	1.80	0.00	280.00	504.00
3/29/2017	Kathleen Gaye	Review of plan termination information sent by Bob Rosenfeld (1.8); review of insurance documents for 2 additional policy years re: fidelity bonding (2.5); email to Sterling (0.6); emails regarding Deloitte's preparation of Form 5500 and information needed (0.5); draft billing cover letter (0.4).	Fees	5.80	0.00	280.00	1,624.00
3/30/2017	Kathleen Gaye	Emails re: fidelity bonding and Form 5500.	Fees	0.50	0.00	280.00	140.00
3/31/2017	Kathleen Gaye	Billing procedures and review (5.5); E&D conference regarding wind-down matters, Form 5500 and fidelity bonding (1.5).	Fees	7.00	0.00	280.00	1,960.00
3/31/2017	Sal DiMeglio	E&D conferences regarding wind-down matters, Form 5500 and fidelity bonding	Fees	1.50	0.00	375.00	562.50
<b>Matter Description (Third Line): Assisting with Other Matters Related to the Termination and Wind Down of Dowling 403(b) Plan</b>				<u>38.20</u>			<u>11,313.50</u>

# **Exhibit C**

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK**

-----X	
In re	: Chapter 11
	:
DOWLING COLLEGE,	:
f/d/b/a DOWLING INSTITUTE,	: Case No. 16-75545 (REG)
f/d/b/a DOWLING COLLEGE ALUMNI	:
ASSOCIATION,	:
f/d/b/a CECOM,	:
a/k/a DOWLING COLLEGE, INC.,	:
Debtor.	:
-----X	

**SUMMARY OF TIME BY TIMEKEEPER FOR FIRST INTERIM FEE APPLICATION  
OF EICHEN & DIMEGLIO, P.C., ACCOUNTANTS TO THE DEBTOR AND DEBTOR  
IN POSSESSION PURSUANT TO BANKRUPTCY CODE SECTIONS 330 AND 331  
FOR ALLOWANCE OF COMPENSATION AND REIMBURSEMENT  
OF EXPENSES FOR NOVEMBER 29, 2016 THROUGH MARCH 31, 2017**

<b>Name of Accountant</b>	<b>2017 Hourly Rate</b>	<b>2017 Total Hours Billed</b>	<b>Total Compensation</b>
Sal DiMeglio, Equity Partner	\$375	17.00	\$ 6,375.00
Kathleen Gaye, Senior Manager	\$280	113.30	\$ 31,724.00
Subtotal		130.30	\$ 38,099.00
Less: Discount to arrive at 2015 audit fixed fee of \$15,000.00			\$ (1,942.00)
<b>Totals</b>		<b>130.30</b>	<b>\$ 36,157.00</b>



# **Exhibit D**

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK**

-----X	
In re	: Chapter 11
	:
DOWLING COLLEGE,	:
f/d/b/a DOWLING INSTITUTE,	: Case No. 16-75545 (REG)
f/d/b/a DOWLING COLLEGE ALUMNI	:
ASSOCIATION,	:
f/d/b/a CECOM,	:
a/k/a DOWLING COLLEGE, INC.,	:
Debtor.	:
-----X	

**SUMMARY OF TIME BY TASK CODE FOR FIRST INTERIM FEE APPLICATION  
OF EICHEN & DIMEGLIO, P.C., ACCOUNTANTS TO THE DEBTOR AND  
DEBTOR IN POSSESSION PURSUANT TO BANKRUPTCY CODE SECTIONS 330  
AND 331 FOR ALLOWANCE OF COMPENSATION AND REIMBURSEMENT  
OF EXPENSES FOR NOVEMBER 29, 2016 THROUGH MARCH 31, 2017**

BILLING CATEGORY	HOURS BILLED	FEES SOUGHT
2015 Audit of Dowling 403(b) Plan	58.20	\$15,000.00
2016 Audit of Dowling 403(b) Plan	33.90	\$9,843.50
Assisting with Other Matters Related to the Termination and Wind Down of Dowling 403(b) Plan	38.20	\$11,313.50
<b>TOTAL:</b>	<b>130.30</b>	<b>\$36,157.00</b>

# **Exhibit E**

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK**

-----X	
In re	: Chapter 11
	:
DOWLING COLLEGE,	:
f/d/b/a DOWLING INSTITUTE,	: Case No. 16-75545 (REG)
f/d/b/a DOWLING COLLEGE ALUMNI	:
ASSOCIATION,	:
f/d/b/a CECOM,	:
a/k/a DOWLING COLLEGE, INC.,	:
Debtor.	:
-----X	

**SUMMARY OF EXPENSES FOR FIRST INTERIM FEE APPLICATION OF EICHEN  
& DIMEGLIO, P.C., ACCOUNTANTS TO THE DEBTOR AND DEBTOR IN  
POSSESSION PURSUANT TO BANKRUPTCY CODE SECTIONS 330 AND 331  
FOR ALLOWANCE OF COMPENSATION AND REIMBURSEMENT  
OF EXPENSES FOR NOVEMBER 29, 2016 THROUGH MARCH 31, 2017**

Mileage reimbursement	\$49.22
Photocopies	\$492.00
<b>TOTAL EXPENSES:</b>	<b>\$541.22</b>

# **Exhibit F**

**EICHEN & DIMEGLIO, P.C.**

1 Dupont Street, Suite 203  
 Plainview, NY 11803  
 Telephone: (516) 576-3333  
 Facsimile: (516) 576-3342  
 Sal DiMeglio, Partner  
 Kathleen Gaye, Senior Manager

*Accountants to the Debtor and Debtor-in-Possession*

**UNITED STATES BANKRUPTCY COURT  
 EASTERN DISTRICT OF NEW YORK**

-----X	
In re	: Chapter 11
	:
DOWLING COLLEGE,	:
f/d/b/a DOWLING INSTITUTE,	: Case No. 16-75545 (REG)
f/d/b/a DOWLING COLLEGE ALUMNI	:
ASSOCIATION,	:
f/d/b/a CECOM,	:
a/k/a DOWLING COLLEGE, INC.,	:
Debtor.	:
-----X	

**CERTIFICATION OF SAL DIMEGLIO REGARDING THE FIRST INTERIM  
 FEE APPLICATION OF EICHEN & DIMEGLIO, P.C., ACCOUNTANTS TO THE  
 DEBTOR AND DEBTOR IN POSSESSION, FOR AN ALLOWANCE OF  
 COMPENSATION AND REIMBURSEMENT OF EXPENSES  
 FOR THE PERIOD OF NOVEMBER 29, 2016 THROUGH MARCH 31, 2017**

I, Sal DiMeglio, hereby certify that:

1. I am an equity partner with the firm Eichen & DiMeglio, P.C. (“E&D”), which serves as accountants to Dowling College, debtor and debtor-in-possession in the above-captioned chapter 11 case (the “Chapter 11 Case”). This Certification is made in support of E&D’s application (the “Application”) for a first interim allowance of compensation for services rendered and reimbursement of expenses for the period of November 29, 2016 through March 31, 2017, in compliance with General Order 613, Guidelines for Fees and Disbursements for Professionals in Eastern District of New York Bankruptcy Cases, effective as of June 10, 2013

(the “General Order”), the United States Trustee Guidelines for Reviewing Applications for Compensation and Reimbursement of Expenses Filed Under 11 U.S.C. § 330, adopted on January 30, 1996 (the “UST Guidelines”), and this Court’s Order Pursuant to 11 U.S.C. §§ 105(A) and 331 Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals [Docket No. 117] (the “Interim Compensation Order” and together with the General Order, UST Guidelines and the Large Case Guidelines, the “Guidelines”).

2. I certify that:

- a. I have read the Application;
- b. To the best of my knowledge, information, and belief formed after reasonable inquiry, the fees and expenses sought fall within the Guidelines;
- c. The fees and disbursements sought are billed at rates and in accordance with practices customarily employed by E&D and generally accepted by E&D’s clients; and
- d. In providing the reimbursable services reflected in the Application, E&D did not make a profit on those services, whether performed by E&D in-house or through a third party.

3. With respect to Section B(2) of the General Order, I certify that E&D has complied with the provisions requiring it to provide to the Debtor, the U.S. Trustee for the Eastern District of New York, and the Creditors’ Committee a statement of E&D’s fees and expenses accrued during previous months.

4. With respect to Section B(3) of the General Order, I certify that the Debtor, the U.S. Trustee for the Eastern District of New York and the Creditors’ Committee are each being provided with a copy of the Application and this Certification.

Dated: New York, New York  
April 28, 2017

**EICHEN & DIMEGLIO, P.C.**

By: /s/ Sal DiMeglio

Sal DiMeglio

Kathleen Gaye

1 Dupont Street, Suite 203

Plainview, New York 11803

Tel: (516) 576-3333

Fax: (516) 576-3342

Email: sal@eanddcpa.com

kathy@eanddcpa.com

*Accountants to the Debtor and Debtor-in-  
Possession*